

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/(954) 797-1101
Prepared by Roberta Moore, Planner I

SUBJECT: Resolution – Impact Fees

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AGREEING NOT TO ISSUE BUILDING PERMITS PRIOR TO RECEIVING WRITTEN CONFIRMATION THAT COUNTY IMPACT FEES HAVE BEEN PAID OR ARE NOT DUE, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: On June 24, 2003, the Broward County Commission adopted an amendment to the Broward County Land Development Code to improve coordination between the cities and the County regarding impact fee and collection and assessment. The amendment requires municipalities to adopt a resolution agreeing not to issue building permits for the construction, expansion, and/or conversion of a building within a plat until the developer provides the Town with written confirmation from Broward County that impact fees have been paid or are not due.

Broward County requires impact fees for plats in the areas of public school facilities, regional parks, and roads or transit, to alleviate the impact of new development upon regional facilities and services. The Town has the authority and responsibility for the issuance of building permits within their municipal boundaries and encourages the timely payment of impact fees for public educational facilities, regional parks, and roads or transit, to help fund the cost of improving these facilities in and around the Town.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: N/A

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AGREEING NOT TO ISSUE BUILDING PERMITS PRIOR TO RECEIVING WRITTEN CONFIRMATION THAT COUNTY IMPACT FEES HAVE BEEN PAID OR ARE NOT DUE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the approval of plats for proposed development is jointly performed by the Town of Davie and by Broward County, based on Section 8.11 of the Broward County Charter and Objective 08.02.00 of the Broward County Land Use Plan; and

WHEREAS, Broward County imposes impact fees upon plats, in the area of public school facilities, regional parks, and roads or transit, to mitigate the impact of new development upon regional facilities and services; and

WHEREAS, developers are allowed by agreement with Broward County to defer payment of impact fees until prior to issuance of building permits within the platted property; and

WHEREAS, the Town of Davie has the authority and responsibility for the issuance of building permits within the municipal boundaries; and

WHEREAS, the Town of Davie wishes to encourage the timely payment of impact fees for public educational facilities, regional parks, and roads or transit, to help fund the cost of improving these facilities in and around the Town of Davie; and

WHEREAS, Broward County has adopted an ordinance stating that it will not accept applications for certain types of development permits, unless the appropriate municipality has adopted a resolution agreeing not to issue building permits without written confirmation that all applicable impact fees have been paid or are not due.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town of Davie hereby agrees not to issue building permits for the construction, expansion, and/or conversion of a building within a plat until such

time as a developer provides the Town with written confirmation from Broward County that the applicable impact fees have been paid or are not due.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

SECTION 3. A copy of this Resolution shall be transmitted to the Broward County Board of County Commissioners.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2004.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004.